

question proposed by the petition is to be submitted to a vote of the voters, and such petition shall set forth any one of the following questions: [See Appendix A]. [Acts of 1948, c. 452, s. 3]

SECTION 4. Reserved.

SECTION 5. Reserved.

SECTION 6. *Time Requirement for a New Plan.* Whenever one of the plans provided in this act shall be adopted, it shall continue in force for a period of at least four years from the beginning of the terms of office of the officials elected thereunder; and no petition proposing another of said plans shall be filed until after three years from the beginning of said terms of office. [Acts of 1948, c. 452, s. 6]

SECTION 7. *Other Requirements for a New Plan.* The mayor, the city council, the board of election commissioners and the city clerk in office when any plan set forth in this act has been adopted, or is proposed for adoption, shall comply with all the requirements of this act relating to such proposed adoption and to the election of the officers specified in said plan, in order that all things necessary for the nomination and election of the officers first to be elected under the provisions of this act and of the plan so adopted may be done. [Acts of 1948, c. 452, s. 7]

SECTION 8. *Terms of Office.* Whenever one of the plans provided in this act shall be adopted, the terms of office of all elective officers in office, and the position of city manager if there be one, shall terminate at ten o'clock in the forenoon on the first Monday of January following the first municipal election held in accordance with the provisions of the plan so adopted. [Acts of 1948, c. 452, s. 8]

SECTION 9. *Fiscal and Municipal Year.* The fiscal year of the city shall begin on July first and shall end on June thirtieth next following; and the municipal year thereof shall begin on the first Monday in January and shall continue until the first Monday of the January next following. [Acts of 1948, c. 452, s. 9 as amended by Acts of 1969, c. 849]

FORM OF GOVERNMENT: MODIFIED PLAN A

Government by Mayor, City Council, and School Committee, Elected at-large with Preliminary Elections

Practitioners and scholars should take care when using nomenclature associated with Boston's charter. Although the charter is commonly referred to as a "Plan A" form of government, the City of Boston does not operate under the provisions of Plan A contained in General Laws Chapter 43; the City of Boston's form of government pre-dates the several plans in the General Laws, and this confusion has been an unfortunate by-product of the publication of plans of government in M.G.L..

SECTION 10. *Plan A.* The form of government provided in [these] sections ... shall constitute and be known as Plan A under this act. [Acts of 1948, c. 452, s. 10 as amended by Acts of 1951, c. 376, s. 1.10]

SECTION 11. *Three Branches of City Government.* There shall be in the city a mayor who shall be the chief executive officer of the city, a city council of nine members which shall be the legislative body of the city, and a school committee ... which shall have the powers and duties conferred and imposed by law. [Acts of 1951, c. 376, s. 1.11] [Without amending this specific section, the number of city council members was increased to thirteen (nine district councillors and four at-large councillors) by Acts of 1982, c. 605, s. 1. The school committee was reorganized by Acts of 1991, c. 108.]

SECTION 11A. *Oaths of Office.* Every person elected mayor and every person elected or chosen city councillor or school committeemember shall, before entering upon the duties of his office, take, and subscribe in a book to be kept by the city clerk for the purpose, the oath of allegiance and oath of office prescribed in the constitution of this commonwealth and an oath to support the constitution of the United States. Such oaths shall be administered, to a person elected mayor, by a justice of the supreme judicial court, a judge of a court of record commissioned to hold such court within the city or a justice of the peace, and to a person elected or chosen city councillor or school committeemember, by the mayor or any of the persons authorized to administer said oaths to a person elected mayor. [Acts of 1951, c. 376, s. 1.11A as amended by Acts of 1983, c. 342, s. 1] [See Appendix J]

SECTION 11B. *Provisions for an Acting Mayor.* Whenever the mayor is absent from the city or unable from any cause to perform his duties, and whenever there is a vacancy in the office of mayor from any cause, the president of the city council, while such absence, inability or vacancy continues, shall perform the duties of mayor. If there is no president of the city council or if he also is absent from the city or unable from any cause to perform such duties, they shall be performed, until there is a mayor or president of the city council or the mayor or president of the city council returns or is able to attend to said duties, by such member of the city council as that body by a vote which, for the purposes of section seventeen D, shall be deemed to be a vote electing an official, may elect, and until such election by the city clerk. The person upon whom such duties shall devolve shall be called "acting mayor" and he shall possess the powers of mayor only in matters not admitting of delay, but shall have no power to make permanent appointments. [Acts of 1951, c. 376, s. 1.11B]

GENERAL POWERS OF MAYOR AND CITY COUNCIL

SECTION 12. *Term of Office for Mayor.* [A]t every second regular municipal election after a regular municipal election at which a mayor is elected, a mayor shall be elected at-large to hold office for the four municipal years following the municipal year in which he is elected and thereafter until his successor is elected and qualified. [Acts of 1948, c. 452, s. 12 as amended by Acts of 1951, c. 376 s. 1.12]

SECTION 13. *Vacancy in the Office of Mayor Requiring Special Municipal Election.* If a vacancy occurs in the office of mayor within sixteen weeks prior to a regular municipal election other than a regular municipal election at which a mayor is elected, or within sixteen months after a regular municipal election, or if there is a failure to elect a mayor or a person elected mayor resigns or dies before taking office, the city council shall forthwith adopt an order calling a special municipal election for the purpose of electing at-large a mayor for the unexpired term, which election shall be held on such Tuesday, not less than one hundred and twenty days nor more than one hundred and forty days after the adoption of such order, as the city council shall in such order fix. If a vacancy occurs in the office of